

Notice of Allowability

Application No.

10/045,232

Examiner

Gregory J. Strimbu

Applicant(s)

WEBB ET AL.

Art Unit

3634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the RCE of 10/18/04, amendment of 9/28/04 and tele. int. of 12/9/04.
2. ☒ The allowed claim(s) is/are 1-3,5-8,10-12 and 14.
3. ☒ The drawings filed on 19 November 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>12/9/07</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Anthoula Pomrening on December 9, 2004

The application has been amended as follows:

In the title:

inserted --Opening-- following "Rod"

In the claims:

claim 1,

line 1, deleted "for opening a door, the device"

line 2, changed the second occurrence of "the" to --a--

line 8, inserted --upward-- following "wherein" and inserted --move upwardly in said receptacle to-- following "to"

line 14, changed "navigates across" to --moves downwardly and slides along--

claim 5,

line 6, deleted "the movement of"

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line 7, inserted --move upwardly in the receptacle to-- following "to" and deleted the comma following "and"

line 9, deleted "causes"

line 10, changed "to navigate across" to --moves downwardly and slides along--

claim 6,

line 1, changed "device" to --structure--

claim 7,

line 1, changed "device" to --structure--

claim 8,

following line 1, but before line 2 inserted --providing a receptacle structure having a top surface and an angled guiding surface, the top surface forming an angled protrusion, the receptacle structure having a receptacle, the receptacle formed between the top surface and the angled guiding surface;--

line 2, changed the last occurrence of "a" to --the--

line 3, changed the last occurrence of "an" to --the-- and deleted "of"

line 4, deleted "a receptacle structure"

line 6, changed "across an" to --downwardly across the--

canceled claim 9

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claim 10,

line 9, inserted --upward-- following "wherein" and inserted --move upwardly in said receptacle to-- following "to"

line 13, deleted "causes" and changed "to navigate across" to --moves downwardly and slides along--

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: the prior art of record, absent applicant's own disclosure, fails to teach the entire combination of elements set forth in the claimed invention. Specifically, the prior art of record fails to teach a device comprising a receptacle structure coupled to a door wherein the upward movement of the sliding assembly causes the latching rod to move upwardly in the receptacle to contact the angled protrusion, wherein the contact of the latching rod with the angled protrusion of the receptacle structure causes the rod to push the receptacle structure and the door to a partially open position, wherein after the latching rod contacts the angled protrusion, the latching rod moves downwardly and slides along the angled guiding surface of the receptacle structure, thereby pushing the receptacle structure and the door to a further partially open position. See claim 1, lines 8-15. Additionally, the prior art of record fails to disclose a receptacle structure coupled to a door wherein a latching rod is positioned within the receptacle, and a sliding assembly causes the latching rod to move upwardly in the receptacle to contact the angled protrusion, and the contact of the latching rod with the angled protrusion of the

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receptacle structure causes the rod to push the receptacle structure and the door to a partially open position, and then the latching rod moves downwardly and slides along the angled guiding surface of the receptacle structure, thereby pushing the receptacle structure and the door to a further partially open position. See claim 5, lines 6-11. The prior art of record also fails to teach a method for opening a door comprising providing a receptacle structure having a top surface and an angled guiding surface, the top surface forming an angled protrusion, the receptacle structure having a receptacle, the receptacle formed between the top surface and the angled guiding surface, moving the latching rod in an upward direction to contact the angled protrusion, thereby causing the rod to push the receptacle structure and the door to a partially open position, and navigating the latching rod downwardly across the angled guiding surface of the receptacle structure, thereby pushing the receptacle structure and the door to a further partially open position. See lines 2-8 of claim 8. Finally, the prior art of record fails to teach a storage device wherein upward movement of the sliding assembly causes the latching rod to move upwardly in the receptacle to contact the angled protrusion, and wherein the contact of the latching rod with the angled protrusion of the receptacle structure causes the rod to push the receptacle structure and the door to a partially open position, and then the latching rod moves downwardly and slides along the angled guiding surface of the receptacle structure, thereby pushing the receptacle structure and the door to a further partially open position. See lines 9-15 of claim 10.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Strimbu whose telephone number is 703-305-3979. The examiner can normally be reached on Monday through Friday 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 703-308-2486. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Gregory J. Strimbu
Primary Examiner
Art Unit 3634
December 9, 2004